

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

**SPOOZ, INC.**

**Plaintiff,**

**V.**

**JAMÉ GROVES,  
PENG HE, and,  
LOGICBOX LLC**

**Case No. 07 C 7265**

## Judge Anderson

**Magistrate Judge Cox**

**Defendants.**

**MOTION FOR STATUS AND LEAVE TO FILE DEFENDANTS' MOTION TO DISMISS**

Defendants, Jamé Groves, Peng He, and Logicbox LLC by their attorneys, Gardiner Koch & Weisberg, move this Court to set a hearing date for status on the case and grant leave to Defendants to file their Motion to Dismiss, and in support thereof, state as follows:

1. On December 27, 2007, Plaintiff filed its complaint against Defendants with the United States District Court in the Northern District of Illinois, Eastern Division.
2. On February 18, 2008 Defendants were served with summons for the aforementioned complaint.
3. On June 5, 2008 Defendants Jamé Groves, Peng He, and Logicbox LLC retained the law firm of Gardiner Koch & Weisberg to represent them in this matter.
4. Upon initial legal analysis, Defendant Groves' legal counsel has determined sufficiency of jurisdiction and pleading is in question in this case, therefore a motion to dismiss is appropriate.

5. Because counsel has been recently retained there has not been a previous opportunity to file and answer or otherwise plead in this case.

WHEREFORE, Defendants, Jamé Groves, Peng He, and Logicbox LLC, respectfully request the following relief:

- A. Set a hearing date for status of the case;
- B. Allow Defendants Jamé Groves, Peng He, and Logicbox LLC to file their Motion to Dismiss Plaintiff's Complaint;
- C. Any other relief this Court deems just and equitable.

Respectfully Submitted,

JAMÉ GROVES

/s/ James B. Koch

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